

**811—12.1(169) Prescription drugs and restricted immunization products.** A drug or immunization product intended for veterinary use where state or federal law restricts this drug or immunizing product to use by or under the order of a licensed veterinarian, shall only be sold or distributed to, or on the order of, a licensed veterinarian, to be used in the course of the veterinarian's professional practice.

**12.1(1)** The order for all such drugs or immunizing products shall be accompanied by the veterinarian's original prescription which should show the quantity of the product, the number of times the prescription can be refilled, the veterinarian's name, address and telephone.

**12.1(2)** A prescription veterinary product shall not be deemed to be used "in the course of the veterinarian's professional practice" unless the veterinarian is supervising the use of the product or a veterinarian/client/patient relationship exists.

**12.1(3)** The board shall determine, on a case-by-case basis, if a veterinarian/client/patient relationship exists. The board may consider, among other items, the following criteria:

*a.* The veterinarian has assumed the responsibility for making medical judgments regarding the health of the animal(s) and the need for medical treatment, and the client (owner or other caretaker) has agreed to follow the instructions of the veterinarian; and when

*b.* There is sufficient knowledge of the animal(s) by the veterinarian to initiate at least a general or preliminary diagnosis of the medical condition of the animal(s). This means that the veterinarian has recently seen and is personally acquainted with the keeping and care of the animal(s) by virtue of an examination of the animal(s); or by medically appropriate and timely visits to the premises where the animal(s) is kept; and when

*c.* The practicing veterinarian is readily available for follow-up in case of adverse reactions of failure of the regimen of therapy.